## REMARKS/ARGUMENTS

The Applicant acknowledges, with thanks, the office action dated March 18, 2008.

By this amendment, independent claims 1, 17 and 24 were amended. The element that the first tunnel is turn down after the PAC is provisioned is not new matter as it is disclosed in 145 of the original specification. Establishing a subsequent, new secure tunnel after the peer has been provisioned with the PAC is not new matter as it is disclosed in paragraphs 147-149 (ref. 665, 670 and 675 in FIG. 6) of the original specification. Claims 26 and 27 were amended to correct deficiencies objected to by the examiner. Claims 3, 4, and 11 - 13 and have been canceled without prejudice or disclaimer. Reconsideration of this application as amended is requested for reasons that will be set forth herein.

### Substance of Interviews

The applicant acknowledges, with thanks, the interviews granted on 11 June 2008 and 22 July 2008.

The interview on 11 June 2008 was in person and attended by the examiner and the undersigned, the applicant's representative. No exhibits were shown or demonstrations conducted. Discussed was claim 1 and the Funk and Schneier references. Discussed were the differences in the tunnels employed in the subject application versus the tunnel phases of Funk and potential claim amendments to more particularly point out the distinctions, such as that the two tunnels in the subject application are decoupled. The general result is described in the Interview Summary prepared by the examiner.

The interview on 22 July 2008 was telephonic and attended by the examiner and the undersigned, the applicant's representative. No exhibits were shown or demonstrations conducted. Discussed was claim 1 and the Funk and Schneier references. Further possible amendments were discussed including setup and tear down of tunnels and what happens when the shared secret exists versus when the shared secret was not previously established and generation of the tunnel key (for the second and subsequent tunnels) from the PAC. The general result is described in the Interview Summary prepared by the examiner.

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## Non-Art Matters

Claims 3, 4, 11, 12, 14, 26, and 27 were objected to due to certain informalities. Withdrawal of these rejections is requested for reasons that will be set forth herein. Claims 3, 4, and 11 - 13 have been canceled without prejudice or disclaimer rendering the objections moot. Claim 26 and 27 have been amended to overcome the objections.

## Prior Art Matters

Claims 1-6, 9, 10, 12, 14-21, 24, 26, and 27 were rejected under 35 U.S.C. §103(a) as being unpatentable over PAUL FUNK, Simon Blake Wilson; "draft-ietf-eap-ttls-02.txt: EAP Tunneled TLS Authentication Protocol (EAP-TTLS);" Internet-Draft PPPEXT Working Group; 30 Nov. 2002, pp. 1-40 (*hereinafter*, "Funk") in view of U.S. Patent No. 6,978,298 to Kuehr-McLaren (*hereinafter*, "Kuehr-McLaren"). Withdrawal of these rejections is requested for reasons that will now be set forth.

Independent claims 1, 17 and 24 recite a method or system for provisioning a device with a protected access credential (PAC) for use in subsequent authentications with a server. The method comprises determining whether a PAC exists between the peer and server. If no PAC exists, a first secure tunnel is established using asymmetric encryption and the PAC is provisioned to the peer by the server. The first secure tunnel is then torn down. After the peer has been provisioned with the PAC and the first tunnel has been torn down, when the peer authenticates with the server a subsequent, new secure tunnel is established using the PAC. After the new, subsequent secure tunnel has been established, the peer authenticates with the server.

By contrast, Funk simply teaches using asymmetric encryption for establishing tunnels and the authenticating within the tunnel. Funk does not teach or suggest establishing a first tunnel using asymmetric encryption (which as noted in the specification of the subject application relies on a third party, e.g. a Certificate Authority, which can be expensive to implement) to receive a shared secret (referred to herein as a PAC) for use in subsequent authentications. Moreover, as discussed during the interview, neither Schnier (Kerberos) nor Kuehr-McLaren (session resumption) remedy the deficiencies of Funk. Therefore, for the reasons just set forth, Funk, Schnier and/or Kuehr-McLaren, either alone or in any combination

thereof, teach or suggest each and every element of independent claims 1, 17 and 24. Consequently, independent claims 1, 17 and 24 are not obvious in view of Funk, Schier and/or Kuehr-McLaren.
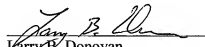
Claim 26 is directly dependent from claim 24 and thus contains each and every element of claim 24 and therefore is not anticipated for reasons already set forth for claim 24. Claims 21, 20, 19, 18 are directly dependent from claim 17 and thus contain each and every element of claim 17 and therefore are not anticipated for reasons already set forth for claim 17. Claims 27, 16, 15, 5-10, 2 are directly dependent from claim 1 and thus contains each and every element of claim 1 and therefore are not anticipated for reasons already set forth for claim 1.

## Conclusion

Withdrawal of the objections and rejections to this application is requested for the reasons set forth herein and a Notice of Allowance is earnestly solicited. If there are any fees necessitated by the foregoing communication, the Commissioner is hereby authorized to charge such fees to our Deposit Account No. 50-0902, referencing our Docket No. 72255/00010.

Respectfully submitted,

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